IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(Crl.).No. 43 of 2007(S)

PETITIONER:

HAROON, S/O.ABDULLA,
AGED 60 YEARS, RESIDING AT AFIF MANZIL,
FLAT NO.C-2, V.B.RESIDENCY, S.R.M.ROAD,
ERNAKULAM.

BY ADV. SRI.M.K.ABOOBACKER
SRI.MANSOOR.B.H.

RESPONDENTS:
---

1. THE SUB INSPECTOR OF POLICE,
PALLURUTHY POLICE STATION, PALLURUTHY.

2. THE SUB INSPECTOR OF POLICE,
NORTH KASBA POLICE STATION, ERNAKULAM.

3. THE COMMISSIONER OF POLICE,
KOCHI CITY, ERNAKULAM.

4. MANU.C.MOHAN, S/O.LATE MOHAN,
CHONNAT HOUSE, NEAR ST.PETER'S CHURCH,
KUMBALANGI.

5. SIJO PAUL, THOMPIKKOTTU,
VIDYAR NAGAR, KADAVANTHARA, ERNAKULAM.

6. PRAJEESH MOHAN, MANATTU HOUSE,
KERALA ROAD, THEVARA.

7. KALYANA KRISHNAN, 10/1023, SOUTH
AMARAVATHY, FORT KOCHI-1.

BY GOVERNMENT PLEADER SRI.P.A.SALIM
MRS. JEENA JOSEPH FOR R5 AND R7.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

1)	EXT.P1:	COPY OF COMPLAINT DATED 28.2.2007 SUBMITTED BYTHE PETITIONER BEFORE THE 3RD RESPONDENT.
2)	EXT.P2:	COPY OF THE LETTER SUBMITTED BY PETITIONER'S DAUGHTER BEFORE THE SUB REGISTRAR, MATTANCHERRY.

BKN // TRUE COPY//

P.A.TO JUDGE.

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl).NO.43 OF 2007

Dated this the 8th day of March, 2007.

J U D G M E N T

Koshy, J.

The alleged detenue, Shireen, the daughter of the petitioner was present in court. She stated that she married to Manu.C.Mohan, 4th respondent. Both are graduates studying for ICWA and both are employed. Alleged detenue is working in the Info park and Manu.C.Mohan is working in B.S.N.L. They are living as husband and wife and she is not under illegal custody. Since both of them have attained majority and capable of managing their affairs, we dismiss the habeas corpus petition. Even though they have undergone a marriage contract, they undertook that they will register the marriage under Special Marriage Act. They have already given notice for that purpose. That undertaking is also recorded. Copy of this order can be produced by the parties before the Magistrate for the purpose of closing the criminal case pending over there.

With the above contentions the Writ Petition (Habeas Corpus) is dismissed.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn